

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR - 9 2004

Application Serial No. 09/785,859
Filing Date February 16, 2001
Inventor Charles H. Blankenship
Assignee Golftek, Inc.
Group Art Unit 3714
Examiner C. Coburn
Attorney's Docket No. GO5-003
Title: Golf Club Swing Analyzers

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

OFFICIAL

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on the date shown below:

1. PTO Return Postcard Receipt.
2. A Letter

Dated: 4/9/04By: 

Natalie King
Telephone No. (509) 624-4276
Facsimile No. (509) 838-3424

NUMBER OF PAGES IN FACSIMILE: 5

S:\GO5\003\FX3.wpd A270205281624N

PTO/SB/21 (02-04)

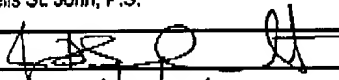
Approved for use through 07/31/2006, OMB 0651-0031

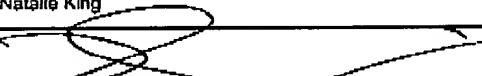
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/785,859
	Filing Date	2/16/2001
	First Named Inventor	Charles H. Blankenship
	Art Unit	3714
	Examiner Name	Corbett B. Coburn
Total Number of Pages in This Submission	Attorney Docket Number	G05-003

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Letter
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	James D. Shaurette, Reg. No. 39,833 Wells St. John, P.S.
Signature	
Date	4/8/04

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Natalie King
Signature	
Date	4/9/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OFFICIAL

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR - 9 2004

Application Serial No. 09/785,859
Filing Date February 16, 2001
Inventor Charles H. Blankenship
Assignee Golftek, Inc.
Group Art Unit 3714
Examiner Corbett B. Coburn
Attorney's Docket No. GO5-003
Confirmation No 7364
Customer No. 021567
Title: "Golf Club Swing Analyzers"

LETTER

To: Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

From: James D. Shaurette (Tel. 509-624-4276; Fax 509-838-3424)
Wells, St. John, P.S.
601 W. First Avenue, Suite 1300
Spokane, WA 99201-3828

Sir:

In the patent office communication mailed April 1, 2004, the Examiner has requested clarification of the differences of the reasons for allowance and the claims. In one example, Applicant refers the Examiner to Claim 30. Claim 30 is devoid of the language set forth in page 2 of the statement of reasons for allowance mailed December 22, 2003. For example, claim 30 does not positively recite blockage of incidental light nor discrimination circuitry configured to discriminate responsive to blocking. Accordingly, the

reasons are erroneous with respect to claim 30 and reconsideration is respectfully requested.

Referring to claim 38, such claim does not recite discrimination circuitry nor discrimination responsive to blocking. Accordingly, the reasons are erroneous with respect to claim 38 and reconsideration is respectfully requested.

Further, the statements set forth regarding claims 41-43 and 45-48 include language not recited in any of claims 41-43 and 45-48. Accordingly, the reasons are erroneous with respect to claims 41-43 and 45-48 and reconsideration is respectfully requested.


Applicant again refers the Examiner to MPEP §1302.14 (8th ed.) which states, in part, that where specific reasons are recorded by the examiner, *care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims.* The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

Applicant has attempted to have correct statements of reasons for allowance issued in this application. In view of the MPEP, and Applicant's numerous filings (including the RCE filed March 22, 2004), Applicant respectfully requests a telephone call to the undersigned in the event that the Examiner does not withdraw or correct the statements of reasons for allowance at least per the above so that Applicant may properly respond during the prosecution of this application.

The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time during normal business hours (Pacific Time Zone).

Respectfully submitted,

Dated: 4/8/04

By: 
James D. Shaurette
Reg. No. 39,833